

REMARKS

Claims 6, 7, 10-13, 15-19 and 21 are pending in this application. Claims 6, 7, 10-13, 15-19 and 21 have been rejected. Claim 6 has been amended, and claims 23 and 24 have been added. No new matter has been added. Claims 23 and 24 incorporate the features of independent claim 10 and additional features. Support for the claim amendments may be found at least at paragraph [0022] of Applicants' as-filed specification. In view of foregoing amendments and following remarks, the applicants request allowance of the application.

Response to Examiner's rebuttal of Applicants' Arguments

At page 2, the Examiner states that the Applicants' arguments directed to an Availability Control Manager (AVC) are not persuasive because the examiner is not giving patentable weight to the term AVC. Applicants agree that the mere label "AVC" does not convey patentability. However, the Applicants must differentiate different parts of the claimed embodiments using some form of labels, and Applicants' specification provides these labels. Accordingly, Applicants' claim 6, for example, refers to AVC ledger databases, revenue budget ledger database, and revenue budget postings ledger that are separately accessed by the claimed AVC manager. Applicants' arguments are directed to the fact that Zawadzki does not disclose this plurality of different databases, and does not disclose a separate system such as the Availability Control system as recited in the claims.

As far as Applicants' arguments directed to "revenue", the examiner merely states that Tanaka is being broadly interpreted to disclose "that business entities may incorporate both project revenues and project expenses and that project revenues can be managed similarly to project expenses, as shown in Zawadzki." However, the only mention of revenue by Tanaka is:

Additional information on project revenue/budget and employee pay rates has also been factored in using known financial analysis equations. Thus, **the budget report 700 shows** at a glance whether or not a project **in [sic] within or beyond the revenue received** and/or budget allowed. (emphasis added).

The cited text of Tanaka does not disclose or suggest, and the Examiner provides no explanation, of how one of skill in the art would modify Zawadzki to accept revenue transactions or process the revenue transactions to indicate that the revenue exceeds a budget

total. It merely explains whether the budget item exceeds either the budget or the revenue received.

In contrast, Applicants' claimed embodiments refer to a novel and non-obvious system and method for tracking whether the received revenue exceeds a threshold limit. In other words, Applicants' systems check to see if an organization made too much money, while the prior art determines if there is enough money available to cover budgeted expenses. These are fundamentally different concepts.

Claim Rejections under 35 U.S.C. §103(a)

Claims 6, 7, 10-13, 15-19 and 21 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Zawadzki et al. (U.S. Patent No. 7,107,268) in view of Tanaka et al. (U.S. Publication No. 2004/0054562).

Claim 6 recites in part:

a transaction manager, executing on a processor, configured to:
receive new revenue transactions which include a revenue value from new posted revenue transactions,
store transaction data in a transaction database, and
determine whether each revenue transaction affects any control objects listed in any one of said Availability Control (AVC) ledgers;
an Availability Control manager, executing on the processor, configured to:
receive from the transaction manager an indication of the control object affected by the new revenue transaction and the revenue value of the new revenue transaction;
responsive to receipt of the revenue value posted from a new revenue transaction, ***accessing an AVC rule in one of the plurality of AVC ledgers containing the aggregated values of the revenue postings and revenue budget items relevant to the affected control object***,

In making the rejection of claim 6, the Office appears to assert that Zawadzki discloses the claimed transaction manager and Availability Control manager at FIGS. 1-2A, col. 4, lines 42-57 col. 40, lines 21-26 and col. 41, lines 52-58. However, none of the elements in FIGS. 1-2A disclose or suggest distinct transaction managers and availability control managers configured to perform different tasks.

As explained in the last sentence of ¶ 12 of Applicants' published patent application, the transaction manager manages the revenue-generating events such as sales processes, financial

accounts receivable management and the like. While the availability control manager performs revenue-based AVC checks and implements responses based on the checks. The claimed system recites the interaction of the transaction manager and the AVC manager. A benefit of performing the revenue-based validation by a separate system is that any modifications need only be made to one system. For example, if rules need to be changed only the AVC ledger rules need to be updated.

The citation to col. 4, lines 42-57 merely states that "the tasks that involve financial objects are automatically linked to other objects that are affected by them", and goes on to provide the example that the actual and projected budgetary items associated with the current project are automatically updated to reflect the expenditure. However, this text does not disclose or suggest the claimed transaction manager or AVC manager or the specific functions performed separately by each manager as recited in the present claims.

As for the citation to col. 40, lines 21-26, this merely states that a user may either set an inputted amount as either a budgeted or allocated amount for a particular project. This does not disclose the claimed transaction manager or AVC manager or the functions separately performed by each.

Furthermore, the transaction manager and the AVC manager perform separate and distinct tasks. The claimed transaction manager identifies control objects that are affected by the new revenue item, and indicates to the AVC manager, which maintains an aggregated revenue value for the identified control object, the identified control objects that need reviewed. The AVC manager performs the review task, not the transaction manager. The Office cites the same language from col. 4, lines 42-57 of Zawadzki as disclosing the same functions performed by the separate managers. This is improper. As held by the Federal Circuit, when an invention is alleged to be obvious from a combination of references, the combination must disclose all of the elements of the invention. No claim limitation can be ignored in making a patentability analysis under § 102 or under § 103. *In re Lowry*, 32 F.3d 1579, 1582, 32 U.S.P.Q.2d 1031 (Fed. Cir. 1994).

Moreover, the Office has not identified in the prior art the structures of a transaction manager and an AVC manager as recited in claim 6. Even if the prior art device performs all the functions recited in the claim, the prior art cannot anticipate the claim if there is any

structural difference.. *In re Ruskin*, 347 F.2d 843, 146 USPQ 211 (CCPA 1965) as implicitly modified by *In re Donaldson*, 16 F.3d 1189, 29 USPQ2d 1845 (Fed. Cir. 1994). See also *In re Robertson*, 169 F.3d 743, 745, 49 USPQ2d 1949, 1951 (Fed. Cir. 1999).

In addition, claim 6 now recites additional features to further distinguish the claim language. For example, claim 6 recites the feature of the transaction manager storing the revenue posting in a database different from the AVC ledgers, and further clarifies that the AVC ledgers store aggregated values of the revenue postings and revenue budget items relevant to the identified control object. These features in combination with the other features recited in claim 6 are neither disclosed nor suggested by the applied prior art.

Accordingly, Applicants submit that Zawadzki and Tanaka, individually or in combination, do not disclose or suggest all of the features recited in claim 6. The rejection of claim 6 should be withdrawn for at least these reasons. Claim 6 is allowable, and claim 7, which depends from claim 6, is also allowable.

As for independent claim 10, the Office cites substantially the same text in Zawadzki used in the rejection of claim 6 to reject claim 10. Claim 10 recites, in part:

identifying, by a processor, ***at least one of the plurality of control objects*** as a control object using the proposed posting in a revenue calculation;
executing, by a processor, ***AVC rules from the AVC ledger for each identified control object***, the AVC rules testing whether the proposed posting of revenue would exceed revenue limits for the identified control object in the AVC rule set of the AVC ledger, and

None of the citations to col. 4, lines 42-46, col. 40, lines 21-26 or col. 41, lines 52-58 show the above claimed steps. In rejecting the above highlighted features at pages 7 and 8 of the Office Action, the Office merely states,

(col. 4, lines 42-46, showing link between new and existing financial objects and col. 40, lines 21-26, col. 41, lines 52-58, showing trying to enter a new amount to a previously posted amount, the determination coming from where the amount is entered, i.e., under which budget in conjunction with col. 14, lines 26-37 showing relational database table storing relevant transaction information)

None of the cited text discloses the specific steps of identifying the plurality of control objects and executing the rule sets. In fact, nowhere has the Examiner identified the claimed rule sets or specific ledgers, as claimed, for storing the rule sets in Zawadzki. Tanaka does not overcome, and is not asserted to overcome, this deficiency of Zawadzki. It appears the Office is merely

identifying data structures without identifying how Zawadzki in combination with Tanaka discloses the claimed steps. Applicants submit that claim 10 is allowable because Zawadzki and Tanaka, individually or in combination, do not disclose or suggest all of the features recited in independent claim 10. Claim 10 is allowable and the rejection of it should be withdrawn.

As for claims 11-13 and 15, these claims depend from claim 10 and are also allowable.

Claims 16-19 and 21 recite a computer readable medium that recites substantially the same limitations as claims 10-13 and 15, and are allowable for at least the same reason as claims 10-13 and 15.

New Claims 23 and 24

New claims 23 and 24 recite features related to independent claim 10, but include features such as a donor identifier associated with a revenue posting. Applicants submit that the combination of features are neither disclosed nor suggested by the applied prior art. Accordingly, claims 23 and 24 are also allowable.

CONCLUSION

All outstanding rejections have been overcome. It is respectfully submitted that, in view of the foregoing amendments and remarks, the application is in clear condition for allowance. Issuance of a Notice of Allowance is earnestly solicited. Although not believed necessary, the Office is hereby authorized to charge any fees required under 37 C.F.R. § 1.16 or § 1.17 or credit any overpayments to Deposit Account No. 11-0600. The Office is invited to contact the undersigned at 202-220-4200 to discuss any matter regarding this application.

Respectfully submitted,

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